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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEITH JACKSON,

Defendant.

Case No. 3:14-CR-00196 (CRB)

**[PROPOSED] ORDER GRANTING
MOTION TO COMPEL
PRODUCTION OF FBI INTERNAL
PROGRAM REVIEW OF UCE-4773
AND RELATED MATERIALS**

[PROPOSED] ORDER

Before the Court is Defendant Keith Jackson's Motion to Compel Production of FBI Internal Program Review of UCE-4773 and Related Materials ("the Motion").

Having considered Mr. Jackson's Motion, the declarations cited therein, and all pleadings and other papers in support thereof, as well as the Opposition filed by the United States, and all further evidence presented by the parties, the Court concludes that good cause exists for Mr. Jackson's Motion.

The Court therefore ORDERS that the United States produce the following information

and materials in its possession, custody, or control by October 1, 2014:

- 1) All information, documents, records or other materials regarding any internal FBI program review of UCE-4773 related to his involvement in any undercover operation in which Keith Jackson was a target, including, but not limited to:
 - a. The name(s) of the person(s) responsible for initiating the internal FBI program review.
 - b. The name(s) of the FBI agent(s) or other government employee(s) who worked on the FBI program review.
- 2) All information, documents, records or other materials related to any decision to remove UCE 4773 from any undercover operation in which Keith Jackson or Leland Yee was a target.
- 3) The FBI's personnel file for UCE 4773, including any records or documents regarding any investigation into UCE 4773 for suspected infractions or violations of FBI policy or guidelines, whether or not that investigation resulted in disciplinary action.
- 4) All *Giglio* Information relating to all agents, informants, and confidential human sources, including but not limited to:
 - a. Copies of any criminal histories.
 - b. All information, documents, recordings or other materials regarding any criminal, illegal, wrongful or dishonest conduct, or any instance of lack of compliance with FBI guidelines or policies.
 - c. Promises or consideration given to any confidential source or informant in exchange for collaboration with the government.
- 5) The true identities of all agents, informants, and confidential human sources of the United States who have had any communications with Mr. Jackson from August 1, 2010 to the present, including, without limitation, the agents identified as "UCE-4599," "UCE-4773," "UCE-4212," "UCE-4527," "UCE-4318," "UCE-4180," "UCE-3357," "CHS#11," or "CHS#12" in the Pascua Affidavit and Superseding Indictment.

Information regarding the true identities of agents, informants and confidential human sources shall be produced with the designation "Attorneys Eyes Only" and shall not be shared with defendants absent further order from the Court; defense counsel may provide that

1 information to experts and/or investigators working for defense counsel under the Protective
2 Order in this action.

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4 IT IS SO ORDERED.

5 Dated:

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Hon. Joseph C. Spero
United States Magistrate Judge